

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Criminal No. 11-196 (JRT/JSM)

Plaintiff,

v.

ANTONIO ANTWON ANDOLINI,

**ORDER ADOPTING THE REPORT
AND RECOMMENDATION OF THE
MAGISTRATE JUDGE**

Defendant.

Karen B. Schommer, Assistant United States Attorney, **OFFICE OF THE
UNITED STATES ATTORNEY**, 600 United States Courthouse, 300
South Fourth Street, Minneapolis, Minnesota 55415, for plaintiff.

Julius A. Nolen, **NOLEN LAW OFFICE**, 333 Washington Avenue North,
Suite 300, Minneapolis, Minnesota 55401, for defendant.

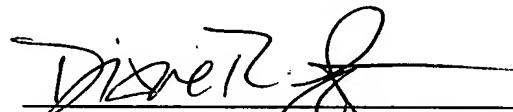
Defendant Antonio Antwon Andolini has been charged with mail fraud, access device fraud, social security fraud, and aggravated identity theft. Andolini seeks suppression of evidence seized under two search warrants, arguing that the warrants were insufficiently supported by probable cause. Andolini also seeks an evidentiary hearing under *Franks v. Delaware*. Following a motions hearing, United States Magistrate Judge Janie S. Mayeron issued a Report and Recommendation (“R&R”) finding that probable cause supported the issuance of both warrants and that Andolini had made no offer of proof to justify a *Franks* hearing. The Court has reviewed *de novo* Andolini’s objections to the R&R. *See* 28 U.S.C. § 636(b)(1)(C); D. Minn. L. R. 72.2. For the reasons set forth



It is requested that the Examiner consider the documents and that they be made of record in the application.

Respectfully submitted,

DIANE R. MEYERS
Registration No. 38,968
Attorney for Applicant

A handwritten signature in black ink, appearing to read "Diane R. Meyers".

Telephone No. (412) 434-2931
Facsimile No. (412) 434-4292

October 18, 2005
Pittsburgh, Pennsylvania

LIST OF CITATIONS BY APPLICANT (Use several sheets if necessary)		Atty. Docket No. 1646A1/RC	Serial No. 10/007,149
		OCT 20 2005 USPTO PATENT & TRADEMARK OFFICE	
		Applicant: John R. Schneider et al.	
		Filing Date: Dec. 5, 2001	Group Art Unit 1711

U.S. PATENT DOCUMENTS

Exam. Init.		Document No.	Date	Name	Class	Subclass	Filing Date if appropriate
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subclass	Translation Yes No
	AL	GB 2316069	02/1998	United Kingdom			
	AM						
	AN						
	AO						

OTHER CITATIONS (Including Author, Title, Date, Pertinent Pages, Etc.)

AQ	
AR	
AS	

Examiner	Date Considered
----------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
 SUBSTITUTE DISCLOSURE STATEMENT FORM (PTO 1449)